

1 really of the opinion that you just expressed? I would
2 particularly like some guidance as to whether or not
3 the committee's reporter feels that the language of
4 Section 11 of Article XV, as it now reads, is clearly
5 unconstitutional under the Federal Constitution. If the
6 language means what it says in ^{it} and that the only way you
7 can possibly save this is to stand on your head and read
8 it to say what it doesn't say. It provides that a per-
9 son who is a member of an organization that advocates the
10 overthrow of the Government of the United States or the
11 State, through force or violence, shall be ineligible
12 to hold office. It doesn't say anything about knowledge
13 of the purposes. It doesn't say anything about the ex-
14 tent of the advocacy, whether it is teaching and academic
15 doctrine, or has a present tendency to promote the use of
16 violence.

17 As I remember the Scales case and the other
18 Supreme Court cases, this language of Section 11, if we
19 reenact it would be clearly violative of the Federal Con-
20 stitution. It would certainly have to be recast, and I
21 don't -- that's another question -- but I suggest that if